



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 22 अप्रैल, 2013 / 2 वैशाख, 1935

हिमाचल प्रदेश सरकार

HIGH COURT OF HIMACHAL PRADESH, SHIMLA- 171 001

NOTIFICATION

Shimla, the 14 the September, 2012

No. HHC/Rules(Vol-V)/1997.—In exercise of the powers vested in it under Section 23 of the State of Himachal Pradesh Act, 1970, Section 129 of the Code of Civil Procedure, 1908, as amended upto date, Section 477 of the Code of Criminal Procedure, Article 225 of the Constitution of India and all other powers enabling hereunto, the High Court of Himachal Pradesh is pleased to amend the rules for the scrutiny Maintenance of Judicial Records, Administrative and Executive Business of the High Court of Himachal Pradesh:—

1. **Short title.**— (1) These rules may be called the "Himachal Pradesh High Court (Scrutiny, Maintenance of Judicial Records, Administrative and Executive Business) Rules, 2012, (1st amendment).

2. **Commencement.**—These rules shall come into force with immediate effect.

Amendment.—Part-I, Part-II and Part-III of the Chapter-4 *i.e.* Maintenance and Destruction of Registers, Case files, returns and Correspondence of the Rules "Himachal Pradesh High Court (Scrutiny, Maintenance of Judicial Records, Administrative and Executive Business) Rules, 1997 shall be substituted by the following:—

Part I-General

1. All judicial records, books and papers in respect of which the period, hereinafter prescribed, for their preservation has expired, shall be destroyed in accordance with the direction contained in the rules next following. Provided that the Deputy Registrar may order, for reasons to be specified, that any particular paper or the record of any particular case be preserved beyond such period.	Destruction of records to be made in accordance with the following rules.
2. The destruction of Judicial records, books and papers, shall be carried out from time to time as may be necessary, and, subject to the general superintendence of the Deputy Registrar, shall be supervised by such officer, hereinafter called the supervising officer, as may be appointed by the Chief Justice for the purpose.	Supervision of destruction.
3. The destruction of judicial records, books and papers, including all Court fee stamps affixed thereto shall be effected by machine shredding in the presence of supervising officer.	Manner of destruction of record and stamps.

Part -II JUDICIAL RECORDS

4. Every judicial record shall, for the purposes of these rules, consist of two parts, namely (1) Part-A and (2) Part-B, Every document admitted to such records shall be marked with the letter A or the letter B - according as it belongs to Part A or Part B, and shall be placed with such file and shall without delay be entered in the general index prefixed to each such record. "When a fresh amended petition has been filed incorporating the amendment duly granted, the original petition must remain on the paper book and must be placed immediately after the amended petition on Part A of the file. "(OONo.HHC/JUDL/INST/11-3/96, dated Dec.6, 1996)."	Division into Parts 'A' and 'B'
5. Part A of the Civil Judicial record shall consist of the following:—	

(a) Original Suits

1. The index of papers.	
2. The order sheets, including orders passed on all applications and orders framing is suits.	
3. The plaint, written statement & replication together with any schedule annexed thereto, and all documents whether original or copies, filed with the plaint. Note: —In miscellaneous case the petition or written application of the party setting the Court in motion will take the place of the plaint.	

4. All misc applications of all nature filed in the suit and the orders passed thereon.	
5. All depositions of witnesses.	
6. All documents or certified copies thereof received by the Court during the trial as evidence between the parties.	
7. Commissions, proceedings, held thereunder and reports and examination of commissioners.	
8. Affidavits.	
9. Reports furnished by the record department.	
10. Applications to refer to arbitration, reference to arbitration, the award or other final return of the arbitrators, with the proceedings, depositions and documents submitted therewith and any application to set aside the award with the Court's orders thereon.	
11. Instruments of withdrawal, compromise or admission of claim(s) and counter-claims.	
12. The decree and all documents relating to the preparation or amendment thereof.	
13. The judgment or other final order.	
14. The decree and all documents relating to the preparation or amendment thereof.	
15. Application for the re-admission of a suit dismissed for default or for the rehearing of a suit decreed ex-parte.	
16. Applications for review of judgment with the Courts orders hereon.	
17. All receipts and acknowledgments filed in execution proceedings.	
18. Summons alongwith report of service in exparte cases.	

(b) In Appeals and Miscellaneous cases (including Reference and Revision proceedings)

1. The Index.	
2. The memorandum of appeal, cross objections, if any, all orders passed thereon in the main appeal, all miscellaneous applications filed in appeal/revision/ references suo motto or on oral request made during the pendenc y of appeal. <i>Note:</i> Findings on issues and record of evidence received from trial Court pursuant to order under Order 41 Rule 22 and 25 shall be transferred to the file of Civil suit returned to the court concerned.	
3. The notice, with report of service, in ex parte cases.	
4. Memorandum of cross objections under Order XLI, Rule 22 or 26 of the Civil Procedure Code.	
5. Security bond for costs filed by the appellant.	
6. Depositions of parties or witnesses.	
7. Commissions, proceedings held thereunder and reports and examinations of Commissioners.	
8. Documents filed by the parties.	
9. Affidavits, except those presented with applications which are rejected.	
10. Applications to refer to arbitration, references to	

arbitration, the award or other final return of the arbitrators, with the proceedings depositions and documents submitted therewith, and any application to set aside the award with the Court's orders thereon.	
11. Instruments of withdrawal, compromise or admission of claim(s) and counter-claims.	
12. The Court's judgment or final order.	
13. The decree and all documents relating to the preparation or amendment thereof.	
14. Applications to refer to arbitration, references to arbitration, the award or other final return of the arbitrators, with the proceedings depositions and documents submitted herewith, and any application to set aside the award with the Court's orders thereon.	
15. Application for review of judgment with final order thereon.	
16. Reference under Order XLI Rule 1 of the Civil Procedure Code or other law, with the final order.	
17. One copy of the printed record of Civil appeals heard by the High Court, when such printed paper books are prepared. Where Paper Book is not printed in the original suits and CWP, original pleadings and documents filed therewith.	

(C) In Civil Writs

1. The index.	
2. The petition together with any schedule annexed thereto, reply, rejoinder, including annexures, all applications filed in writ petitions along with annexures and orders passed from time to time on the main matter as also on miscellaneous applications.	
3. Affidavits except those presented with applications which are rejected.	
4. Depositions of the witnesses.	
5. Commissions, proceedings held thereunder and reports and examination of Commissioners.	
6. Instruments of withdrawal, compromise or confession.	
7. Court's judgment or final order.	
8. Application for review of judgment with final orders thereon.	
9. Notice with report of service in ex parte cases.	
10. Application for re-admission of petition dismissed in default or for the rehearing of the petition decided ex-parte with final order, thereon.	
11. One copy of paper book in all cases in which paper book is printed, cyclostyled or typed.	

Part B of Civil Judicial Record

6. Subject to any direction by the Court to the contrary part B of a Civil judicial record shall consist of all documents in such records as are not indicated in the preceding rule as belonging to part A.	
--	--

Part A of Criminal Judicial Record

Part A of a criminal Judicial record shall consist of the following documents, namely:—	
(a) In an original trial of all papers. (b) In an appeal, reference and revision of-- (1) The Index. (2) The petition of appeal or revision, orders recorded in the main case and all orders passed in miscellaneous applications or letter of reference. (3) Any additional evidence taken under the orders of the High Court on remand. (4) Judgment and formal order of the Court. (5) Copies of judgments of the lower courts.	

(C) In Criminal Writs:

(1) The Index. (2) The petition together with schedule annexed thereto. (3) Interlocutory orders of the Court. (4) Judgment or final order of the Court. (5) Copies of the judgments of the lower Courts.	
---	--

Part B of Criminal Revision record

8. Subject to any direction by the court to the contrary Part B of a Criminal Judicial record shall consist of all documents in such records as are not indicated in the preceding rule as belonging to Part A.	
9. The following document belonging to Part A of a judicial record shall be preserved permanently, namely:— In Civil Cases including Civil Writs: (1) The Index. (2) The judgment of the Court. (3) The decree of the court. (4) Un-returned deeds of title. (5) One copy of the printed paper book in all cases in which a paper book is printed. (6) In other cases copies of the judgments of the courts below and the memorandum of appeal presented in the High Court. (7) Where paper book is not printed in Original suits and CWPs, original pleadings and documents filed therewith.	

In criminal cases including Criminal Writs:

(1) Copy of Index and memorandum of appeal presented in the first Appellate court and thereafter in the High Court. (2) The judgment of the Court. (3) Un-returned deeds of title. (4) One copy of the printed paper book in all cases in which a paper book is printed and in other cases copies of the judgments of the court below and the memorandum of appeal presented in the High Court.	
--	--

Records to be preserved for thirty years

10. Subject to the provisions of Rule, the following records shall be preserved for thirty years, namely:	
---	--

<ol style="list-style-type: none"> (1) Part-A in all original side Civil Cases. (2) Part-A of all appeals involving title to immovable property as defined in Section 3 Clause 26 of the General Clauses Act, 1897 (No.X of 1897). (3) Part A of proceedings under the Guardian and Wards Act, 1890 (No. VIII of 1890) and the Indian Succession Act, 1925 (No. XXXIX of 1925) and all cases connected with the custody and disposal of intestate property. (4) Judgment of the Supreme Court in appeals preferred from orders of the High Court. (5) Murder references. (6) Original criminal trials. (7) Part A of appeals or references under Chapter XXXII, Criminal Procedure Code, in which the orders of the Courts below have been interfered with. (8) Part A of criminal cases in which a lunatic is concerned unless the lunatic shall have been subsequently tried or have died. (9) Cases in which any Public Servant has been tried as such. 	
---	--

Record to be preserved for twelve years

<p>11. Subject to the provisions of Rule 9 and 10, the following records shall be preserved for twelve year, namely:—</p> <p>Part A of Civil and Criminal Appeals and Civil and Criminal reference cases not mentioned in Rules 9 and 10.</p> <ol style="list-style-type: none"> (1) Part A of all appeals relating to the succession to an office or to establish or set aside an adoption or otherwise determine the status of an individual and of all appeals relating to trusts or religious endowments. (2) Part A of proceedings under the Guardian and Wards Act, 1890 (No.VIII of 1890) and the Indian Succession Act,1925 (No. XXXIX of 1925) and all cases connected with the custody and disposal of interstate property. (3) Part A of Criminal Appeal and Reference cases relating to cases decided by the Courts of Sessions and all cases coming under Chapters XII and XVII Indian Penal Code to which Section 75 of the Indian Penal Code is applicable, provided that in the cases referred to in (9), (10) and (11), if the sentence has not been fully executed,the record shall be preserved until the return of the warrant with the report that the sentence has been undergone and shall then be destroyed. (4) Part A of cases heard in the Exercise of Insolvency jurisdiction other than that conferred by act V of 1920. (5) Records in Writ Petitions under Article 226 of the Constitution of India, provided that such record shall be preserved for 3 years only in those cases where a writ petition is dismissed in- limine or on preliminary hearing or when it is dismissed as withdrawn or as infructuous. 	
---	--

(6) Cases in which any public servant has been tried as such.	
Record to be preserved for three years	
12. Subject to the provisions of Rule 9, the following records shall be preserved for three years namely:- Part A of the record in applications for the exercise by the Courts of its revisional jurisdiction under the Code of Criminal Procedure.	
13. Part B of a judicial record and applications of a Miscellaneous character filed with such record shall be destroyed after expiry of one year, provided that where an appeal filed in the Supreme Court, Part B of the record of such a cases shall be preserved till the judgment of the Supreme Court has been communicated to this Court.	Time for destruction of Part B.
14. The period prescribed by Rules 10,11 and 12 of these rules for the preservation of judicial record, shall be reckoned from the date of the final order of the Court in the case.	Date from which period to be reckoned.
15. A note of every judicial record destroyed under the provisions of these rules shall be made, under the signature of the supervising officer, at the time of destruction in the register in which the case is entered, and also in the general Index prefixed to such record.	Note of destruction to be made in the register etc.
16(i) Documents belonging to private persons or to Government as a party to the proceedings or which have been impounded in the cases which they were produced shall not be destroyed, but shall be dealt with in the manner provided by the clauses of this rule next following: (ii) When the period prescribed by Rules 10, 11 and 12 of these rules for the preservation of part A of a judicial record has expired, and before such part is destroyed all documents of the nature specified in clause (i) of this rule shall be removed there from and kept till application is made for their return. (iii) A document shall not be returned within the period specified in order XIII, rule 9 of the Code of Civil Procedure, until a certified copy thereof has been delivered to be substituted for the original, nor shall a document be returned which has been ordered to be impounded or which has, by force of a decree or order of the Court, become void or useless, or which is required by law to be filed and preserved, e.g., a will under Section 294 of the Indian Succession Act, XXXIX of 1925.	Private Government documents and impounded documents how to be dealt with.

Part-III REGISTERS

Sl. No	Name of Registers	Period of Preservation (in years)
1	Review Petition HCD/R-18	Forever
2	Civil Revision H.C.JD/0	-do-
3	LPA	-do-

4	COPC H.CD/R-15	-do-
5	CWP and CWP(T)	-do-
6	RFAs, RSAs, FAOs, OSAs	-do-
7	Copying H.HC.83	-do-
8	No.1 Register of Civil Suit	12 year
9	Register of Execution HCD/RO-7	Forever
10	OMP(M) H. HC/R-8	-do-
11	Register of OMP to Sue, or Appeal as a Pauper.	-do-
12	Criminal Appeals.	-do-
13	Criminal Revision HCD/R-10	-do-
14	Cr. MMO & Cr. MP(M)	-do-
15	Cr. WP & Cr. WPIL	-do-
16	Cr. OPC	-do-
17	Murder References/D.S.R. HCD/13	-do-
18	Casual Leave Register	2 years
19	Inventory Register, High Court Guest House.	30 years
20	Sessions Guest House, Solan	6 years
21	Sessions Guest House, Kullu	-do-
22	Sessions Guest House, Keylong	-do-
23	Sessions Guest House, Palampur	-do-
24	Sessions Guest House, Manali	-do-
25	Sessions Guest House, Dharamshala	-do-
26	Sessions Guest House, Revenswood	-do-
27	Sessions Guest House, Dalhousie	-do-
28	High Court Guest House, Kasauli	-do-
29	Petrol record registers of all the vehicles of the High Court.	12 years
30	Repair/ Maintenance record registers of all the vehicles of High Court.	-do-
31	Misc. Registers for purchase of flags etc. for the earmarked vehicles of Hon'ble Judges and Registrars including purchase of misc. items for all the vehicles.	-do-
32	Log Books of the Judges Relief Vehicles, earmarked vehicles of Registrars and General Pool vehicles.	-do-
33	Statutory Furniture Stock register of Hon'ble the Chief Justice and Hon'ble Judges.	30 years
34	Misc. Accounts Register of perishable furniture Articles & repair of Courts and official residences of Hon'ble the Chief Justice and other Hon'ble Judges.	-do-
35	Dry Cleaning register	12 years
36	Garden Tools register	-do-
37	File opening register	-do-
38	Mannure/Khad register	-do-
39	Account register regarding hosting lunch & dinners to Hon'ble the Chief Justice of India and other High dignitaries	6 years
40	Register regarding furniture provided in office room at official residence of Hon'ble the Chief Justice and other Hon'ble Judges.	30 years
41	Register pertaining to Land Line and Mobile bills provided to Hon'ble the Chief Justice and Hon'ble Judges.	6 years
42	Mobile stock register & Mobile charger register	12 years
43	Cordless phone register	12 years
44	Coal/ fire wood register	6 years

45	Mini EPABX register installed at official residence	12 years
46	Electrical appliances purchase register	-do-
47	Electricity and water bill register	-do-
48	Stationery register	30 years
49	Misc. purchase register	30 years
50	Casual leave/ compensatory leave account registers.	3 years
51	Pay Bill Register	As per Govt. Rules
52	Medical bill entries Register	-do-
53	Service record Register	-do-
54	L.T.C. Register	-do-
55	Bill Register	-do-
56	Casual Leave Record Register	3 years
57	Cash Book	As per Govt. Rules
58	Acquittance Registers (Class-I, II, III & IV)	-do-
59	Acquittance Registers Class-I to IV (HPAT)	-do-
60	FDR Register	-do-
61	Permanent Advance Register	-do-
62	Bill Register	-do-
63	Office Expenses Appropriation Register	-do-
64	Motor Vehicle Appropriation Register	-do-
65	Wages, Livery, Professional & Special services, Rent, Rate & Taxes, Hospitality & Entertainment Expenses, Sumptuary Expenses, Training and other charges appropriation Register.	-do-
66	Medical Reimbursement Appropriation Registers	-do-
67	Budget Allocation Register	-do-
68	Court wise monthly allocation/ expenditure Register	-do-
69	Revised Budget Estimates for the current financial year and next financial year Budget Estimates in respect of Subordinate Courts including Tribal Courts as well as Fast Track Court's Register.	-do-
70	Monthly reconciled consolidated figures in respect of High Court as well as Subordinate Courts Register	-do-
71	Ist/ Final Excesses & Surrenders Statements Register.	-do-
72	0070-Receipts Estimates in respect of Subordinate Courts including Tribal Courts as well as Fast Track Courts in H.P. Register.	-do-
73	Casual Leave Account Register	3 years
74	Pay Bill entry Register	As per Govt Rules
75	Group Insurance Scheme Register	-do-
76	House Rent Allowance Entry Register	-do-
77	T.A. Register	-do-
78	L.T.C. Register	-do-
79	Fixed Deposit Receipt entering Register	-do-
80	Receipt Register regarding deposit of proclamation charges, publication charges and Road & Diet Money Register	-do-
81	Disbursement Register (i.e. payment to the publishers, witnesses etc. Register	-do-
82	Cash Register	-do-
83	Electricity charges Register.	-do-

84	Water Charges Register	-do-
85	Electricity & Water Charges Register in respect of Judicial Officers in High Court of H.P.	-do-
86	Calculator/ distribution Register	-do-
87	Purchase of photocopiers & equipments Register	-do-
88	Register regarding House Building Advance recoveries in respect of Officers and Officials of the Registry	-do-
89	Register regarding House Building Advance recoveries in respect of Hon'ble Judges in the High Court of H.P.	-do-
90	Typewriters, purchase/ distribution Register	-do-
91	Fax machines/ copy printers and equipments Register	-do-
92	Register regarding Opening of file numbers registers in respect of High Court and Subordinate Courts.	-do-
93	Recovery register of motor car/ scooter loan taken from State Co operative Bank by the Court Employees Register.	-do-
94	File number opening register of HBA and Car Loan in respect of High Court & Subordinate Courts Register	-do-
95	Register regarding Car Loans taken by the Judicial Officers of the Hon'ble High Court	-do-
96	Class-I Officers GPF subscription, advance/ withdrawal Register	-do-
97	Class-II Officers GPF subscription advance/ withdrawal Register	-do-
98	Class-III officials GPF subscription, advance/ withdrawal Register	-do-
99	Register regarding Contributory Pension Scheme in respect of Officers/ Officials of the Registry	-do-
100	File opening Register in respect of GPF subscribers.	-do-
101	File opening Register in respect of Contributory Pension Scheme account holder	-do-
102	Institution register regarding institution of cases in the Hon'ble Apex Court.	Permanent
103	Original record sent to the Hon'ble Apex Court	-do-
104	Copies of order(s)/judgment(s) sent to the Dealing Assistants of Judicial Branch.	6 years
105	File movement register	12 years
106	Attendance register	3 years
107	Record returning register, regarding original record returned to the Record Keeper.	Permanent
108	Stock Registers of livery, electrical, computers etc.	Permanent
109	Stationery Registers	12 years
110	High Court Guest House Purchase	-do-
111	Misc. Registers (Purchase, Distributions etc.)	-do-
112	Perishable Items Registers	-do-
113	Telephone Registers (Landline and Mobile)	-do-
114	Crockery Registers	-do-
115	Diesel Purchase	-do-
116	Assistant Registers	12 Years
117	Convergancy Registers	-do-
118	Clerks to the Advocate	30 Years
	Registration Registers	
119	Oath Commissioners Registration Register	-do-
120	Roster Maintaining Registers	Permanent

121	Establishment Registers	-do-
122	File Opening Registers	-do-
123	Increment Registers	30 years
124	Inventory Registers	12 years
125	Stock Registers	-do-
126	Newspaper Subscription Registers	3 years
127	Accession/Stock Registers	6 years
128	RTI Application Registration Register	3 years
129	PIL Registration Register	Permanent

By Order,
Sd/-
High Court of Himachal Pradesh.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA

NOTIFICATION

Shimla, the 14th June, 2011

No. HHC(R&P/Rules/HPAT-2010.—Hon'ble the Chief Justice of the High Court of Himachal Pradesh, in exercise of the powers conferred under Article 229 of the Constitution of India and all other enabling powers in this behalf is pleased to make the following amendments in **"The High Court of Himachal Pradesh(Absorption and Conditions of Service etc. of Officers and Employees of the erstwhile Himachal Pradesh State Administrative Tribunal (since abolished), Rules, 2010 ."**

1. Short title.—These Rules shall be called **"The High Court of Himachal Pradesh(Absorption and Conditions of Service etc. of Officers and Employees of the erstwhile Himachal Pradesh State Administrative Tribunal (since abolished)(1st Amendment), Rules, 2011."**

2. Commencement.—They shall come into force with immediate effect.

3. Amendmen.—Item No. 17 of Second Schedule annexed to **the High Court of Himachal Pradesh (Absorption and Conditions of Service etc. of Officers and Employees of the erstwhile Himachal Pradesh State Administrative Tribunal (since abolished), Rules, 2010,** shall be substituted as under:

Sr. No.	Name of the Post	No. of the Posts	Mode of appointment	Qualification	Experience/ length of service in feeder cadre	scale of pay
17.	Clerks	16	i) 80% by direct recruitment ii) 20% by transfer from amongst the Restorers, failing	Graduation Matric or Hindi Rattan of Sanskrit (Pragya)	5 years	₹5910 20200 + 1900 Grade Pay.

			<p>which by selection on the basis of limited competitive examination from amongst Class-IV servants of the erstwhile H.P. Administrative Tribunal.</p> <p>Candidates appointed by any of the aforesaid modes shall have to pass the typing test with a minimum speed of 30 words per minute. within the period of probation, which terms includes extended probation period, if any.</p>	with (English)		
--	--	--	---	-------------------	--	--

**By order of Hon'ble the
Chief Justice**

/

(C.B. BAROWALIA)

Registrar (Subordinate Judiciary and Judicial).

HIGH COURT OF HIMACHAL PRADESH SHIMLA-171001

NOTIFICATION

Shimla, the 17th April, 2013

No.HHC/GAZ/14-181/87-I.— Hon'ble the Chief Justice has been pleased to grant sanction of 15 days' earned leave *w.e.f.* 16-4-2013 to 30-04-2013 with permission to prefix holidays falling on 13th, 14th, 15th April 2013 being Second Saturday, Sunday and Gazetted holiday in favour of Shri T.S. Kaisth District & Session Judge Chamba.

Certified that Shri T.S. Kaisth is likely to join the same post and at the same station from where he proceeds on leave, after expiry of the above period of leave.

Also certified that Shri T.S. Kaisth would have continued to hold the same post of District & Session Judge, hamba but for his proceeding on leave for the above period.

By order,
Sd/-

Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 16th April, 2013

No.HHC/Admn.16 (20)75-II.—Hon'ble the Chief Justice, in exercise of the powers vested in him U/S 139(b) of the Code of Civil Procedure, 1908, U/S 297(b) of the Code of Criminal Procedure, 1973 and Rule 5(vi) of the H.P. Oath Commissioners (Appointment & Control) Rules, 2007 has been pleased to appoint Sh. Subhash Chand Thakur, Advocate, Ghumarwin, as Oath Commissioner at Ghumarwin for a period of two years, with immediate effect for administering oaths and affirmations on affidavits to the deponents, under the aforesaid Codes and Rules.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171 001

NOTIFICATION

Shimla, the 17th April, 2013

No.HHC/Admn.6 (18)77-VII.—In exercise of the powers vested in it under Section 13 of the Code of Criminal Procedure, 1973, the High Court of Himachal Pradesh has been pleased to confer the powers of Special Judicial Magistrate Ist Class, upon the District Magistrate/Executive Magistrates (not below the rank of SDMs) in Una District, w.e.f. 19th April, 2013(afternoon) to 22nd April, 2013(before lunch) inclusive of journey day(s), for disposal of urgent criminal work i.e. police remand and judicial remand etc. in the absence of the Judicial Officers of Una Division.

By order,
Sd/-
Registrar General.

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA-171001

NOTIFICATION

Shimla, the 17th April, 2013

No.HHC/Admn.6 (23)/74-XIV.—Hon'ble the Chief Justice in exercise of the powers vested in him under Rule 2 (32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare the Presiding Officer, office of Additional District and Sessions Judge, Fast Track Court, Chamba as Drawing and Disbursing Officer in respect of the Court of District and Sessions Judge, Chamba and also the Controlling Officer for the purpose of T.A. etc. in respect of establishment attached to the aforesaid Court under head "2014-Administration of Justice during the leave period of Shri T.S.Kaisth, District and Sessions Judge, Chamba, H.P. w.e.f. 16.4.2013 to 30.4.2013 with permission to prefix gazetted holiday falling on 13th, 14th and 15th April, or till he returns from leave.

By order,
Sd/-
Registrar General.

लोक निर्माण विभाग

अधिसूचना

शिमला-2, 20 अप्रैल, 2013

संख्या:पी.बी.डब्ल्यू (बी)एफ(5)9/2012.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु नामत उप महाल गाहर, तहसील व जिला कुल्लू में सेऊवाग से गाहर सडक के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद् द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा-4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों उनके कर्मचारियों और श्रमिकों को इलाके की किसी भी भूमि में प्रवेश करने और सर्वेक्षण करने तथा उस धारा द्वारा अपेक्षित अथवा अनुमतः अन्य सभी कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी हितबद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस (30) दिन की अवधि के भीतर भू-अर्जन समाहर्ता, लोक निर्माण विभाग, मण्डी, हिमाचल प्रदेश के समक्ष लिखित आपतिदायर कर सकता है !

विवरणी

जिला कुल्लू	तहसील कुल्लू	गांव उप महाल गाहर	खसरा नम्बर 893 / 1 894	क्षेत्र (है0) में 0-00-82 0-05-24
कुल जोड़			किता-2	0-06-06

आदेश द्वारा,
हस्ताक्षरित /—
प्रधान सचिव(लोक निर्माण)।

**MUNICIPAL COUNCIL SUNDERNAGAR
(CONTROL AND REGULATION OF) OF MUCK DUMPING BYE-LAWS, 2013**

NOTIFICATION

Dated the 11th April, 2013

No.—The following Muck dumping by-laws, 2013 made by the MC Sundernagar in exercise of the power conferred by section 216, 217 and Section 219 read with clause (y and z b) of sub section 202 of the Himachal Pradesh Municipal Act, 1994 (act No. 13 of 1994) as amended from to time to time are hereby published in the Rajpatra, Himachal Pradesh (extraordinary) for the information of general public and notice is hereby given that the said draft bye-laws shall be

considered by the MC Sundernagar after expiry of a period of 15 days from the date of its publication in the Rajpatra, Himachal Pradesh.

If any person, likely to be affected by these draft bye-laws had any, objection (s) against these draft rules, he may sent the written objections to the Executive officer/Secretary of concerned ULB, within the aforesaid period.

Objections, if any, received within the period as specified above, shall be taken into consideration by the MC Sundernagar before finalizing these bye-laws namely:—

“MC Sundernagar--(Control and Regulation) of Muck Dumping Bye-laws, 2013”

PRELIMINARY

1. Short title, commencement and application.—(i) These Bye-laws may be called “MC/NP--(Control and Regulation) of Muck Dumping Bye-laws, 2013”

(ii) These Bye-laws shall come into force from the date of their publication in the Rajpatra (extraordinary) Himachal Pradesh.

(iii) These Bye-laws shall be applicable within the jurisdiction of MC Sundernagar---as defined from time to time.

2. Definitions.—(i) In these Bye-laws, unless the context otherwise requires:—

- (a) **“Act”**-means the Himachal Pradesh Municipal Act, 1994 (Act No. 13 of 1994) as amended from time to time.
- (b) **“Applicant”**- means any person applying for permission for dumping of Muck in the authorized dumping places as specified by the MC/NP.
- (c) **“Authorized Officer”**- means any Executive Officer duly authorized by the MC Sundernagar under these Bye-laws.
- (d) **“Muck”**- includes earth of stone, material of any description or any rubbish or polluted or obnoxious matter or Debris including building, construction waste.
- (e) **“Place”**- means authorized site specified by the MC Sundernagar---for dumping of muck.
- (f) **“Judicial Magistrate First Class”**- means the Judicial Magistrate having jurisdiction over the area of MC Sundernagar--- under the Act.
- (g) Words and expressions used in these Bye-laws but not defined herein shall have the meaning respectfully assigned to them under the Act.

3. Prohibition on Muck Dumping.—(i) no person, either by himself or through another, shall knowingly or otherwise throw or cause to be thrown any kind of Muck in any place other than the place specified by the MC Sundernagar-for dumping of Muck within their area.

(ii) Any person found dumping the Muck illegally, un-authorisly and without any permission shall be liable for penalty under these Bye-laws and the vehicle or tools used for the dumping shall be impounded.

4. Procedure for Application and grant of permission.—(i) applicant or the person concerned intended to commence the construction within the area of the MCSundernagar shall in writing submit detailed estimate of Muck to be generated from the plot/construction site to the MC on the prescribed proforma annexed with these Bye-laws as appendix-I at the time of submission of their building map/plan for sanction. The building plan without such estimate shall not be considered for sanction.

(ii) The estimate submitted by the applicant shall be verified by the concerned official after spot inspection and thereafter the carriage of muck to be generated from the Plot/construction site shall be assessed for raising the bill and for according necessary permission in favour of the applicant.

(iii) The permission for dumping of debris shall be accorded only after obtaining receipt of the amount deposited by the applicant in the MC Sundernagar----on this account.

(iv) The place for dumping of muck shall be communicated to the applicant by the MC Sundernagar authorities in writing and the name of the place/site for dumping of debris by the applicant shall also be mentioned in their building sanction letter. Further, intimation of the same shall also be given to the contractor hired or engaged by the MC for managing the dumping site.

(v) During transportation of the Muck, a person shall have to carry the original permission a copy of which shall be affixed on the windscreen of the MC Sundernagar at the time of inspection.

(vi) There shall be restriction on movement of the vehicle carrying Muck after the sun set and before the sun rise. The normal timings for dumping the Muck in the dumping site shall be between 9:00 A.M. to 5:00 P.M. However, in the case of exigencies, the MC Sundernagar may in writing relax such restrictions.

(vii) No one shall be permitted to carry the digging and excavation of plot or land after sun set and before sun rise but the MC Sundernagar in the larger public interest or in the case of emergent situation may relax such imposition/restrictions on receiving written request from the applicant or the concerned agency or the authority interested in this regard.

(viii) the person after obtaining the sanction of building map from the competent authority of before raising the construction at site is required to install a painted board of the size 2'x2' indicating there in the number and date of the sanction, commencement of construction and hours during which construction can be carried out, time when excavation can be done, name of dumping site allotted to the applicant for the purpose of dumping muck, nature of sanction, the area of construction sanctioned on each floor and the telephone number of the office 01907-267244 set up by the MC-Sunder Nagar for entertainment of complaints etc.

(ix) the MC shall prescribe the conditions relating to the application of muck generation from the plot, grant of sanction for muck disposal and condition relating to affixing of board at site giving therein the detail as mentioned in clause (viii) at the time of grant of building sanction.

5. Rates for dumping of Muck- the following rates shall be applicable for dumping of Muck in the specified places.

(i) Pickup	Rs. 150- per pickup
(ii) Tipper light duty	Rs.300-per tipper
(iii) Tipper Heavy duly/truck	Rs. 500/- per tipper/truck
(iv) Mules & Manual	Rs 5/ per cement bag

An increase of 10% on these rates shall be applicable after every financial year which shall be notified by the MC Sundernagar.

6. Duties and responsibilities of person concerned.—(i) it shall be the duty and responsibility of owner to make available all the sanction/permission granted by the competent authority to the person so hired or engaged by him for dumping of Muck in a specified places as specified by the MC-Sunder Nagar.

(ii) Whosoever is found dumping Muck other than the place specified by the MC Sunder Nagar, the owner or the person caught dumping the Muck shall be liable jointly for penalty under these bye-laws.

(iii) At the time of transportation of Muck the person concerned shall make available the permission to the inspecting staff at the time of inspection of vehicle without causing any hindrance.

7. Impounding of vehicle.—(i) the authorized officer or the police establishment of the MC Sundernagar in this behalf either on the information received by himself or through other source shall immediately on receiving such information may stop and inspect the vehicle carrying muck for the purpose of ascertaining the required permission at any point if time and impound the same if found violating the provisions of these Bye-laws.

(ii) The vehicle shall only be released in case the register owner of the vehicle applies for compounding of offences under these Bye-laws.

(iii) The official impounding the vehicle shall immediately report in writing about the impounding of vehicle to the authority officer/official and keep the same in custody at the place designation by the MC Sundernagar till it is not released to the registration owner. The halt charges of the vehicle at such designated place shall be levied at the rate of Rs. 500/- per day payable by registered owner to the MC Sundernagar in cash or through demand draft.

8. Compounding of offences.— all the offences punishable under these Bye-laws ms, before, the institution or Prosecution, be compounded by such officer as may be authorized by the MC Sundernagar of Executive officer in this behalf, on payment of such sum Rs.500/- as may be specified by such officer under these Bye-laws.

9. Offences to be tried summarily.—the offences which are not compounded shall be tried in a summary manner by the Special Judicial Magistrate First Class of the concerned municipal area under section 260 of the Code of Criminal Procedure.

10. Penalty.—(i) whosoever, id guilty of dumping Muck other than the place specified/notified by the MC, the rate of penalty shall be five times at the first instance, ten times at the second instance and for the third instance of thereafter the amount of penalty shall be twenty times of the actual rate of dumping as fixed by the MC/NP in respect of the class and make of vehicle as defined in Clause 5 of these Bylaws.

(ii) in case of repeated violation, in addition to penalty as specified above, the owner at whose instance the construction/excavation work is carried and is found dumping the Muck illegally or without the permission of the competent authority as the case may be, shall also be liable for disconnection of water, electricity and others civic amenities and the concerned Officer/ official may request the competent authority of withdrawn of recognition and registration if any granted in their favour including withdrawn of building sanction granted in favour of the owner concerned.

By order,
Sd/-

Executive officer/Secretary.

HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
SHIMLA-171 002

NOTIFICATION

Shimla, 18th April, 2013

No.HPERC/Secy/RPB/705/CV/KD/2011.—In exercise of the powers conferred by clauses (zj) and (zk) of sub section (2) of section 181, read with sub-sections (2) and (3) of section 91 of the Electricity Act, 2003 (Act No.36 of 2003) and all other powers enabling it in this behalf, the Himachal Pradesh Electricity Regulatory Commission with the prior approval of the State Government and after prior publication, makes the following regulations to specify the terms and conditions of the service of the Secretary, the other Officers and Employees of the Commission, namely:—

1. Short title, commencement and application.—(1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions of Service of Staff) Regulations, 2013.

(2) These shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

(3) These regulations shall apply to the staff of the Commission i.e. Secretary, other Officers and Employees of Himachal Pradesh Electricity Regulatory Commission but shall not apply to the Chairperson and the Members of the Commission.

2. Definitions.—In these regulations unless the context otherwise requires.—

- (a) “**Act**” means the Electricity Act 2003(36 of 2003);
- (b) “**Chairperson**” means the Chairperson of the Commission;
- (c) “**Commission**” means the State Electricity Regulatory Commission referred to in the Act;
- (d) “**Schedule**” means the schedule annexed to these regulations;
- (e) “**Secretary**” means the Secretary of the Commission appointed under section 91 of the Act;
- (f) “**State Government**” means the Government of Himachal Pradesh.
- (g) “**Staff**” includes both officers and employees of all categories appointed whether on deputation on foreign service terms or permanent absorption or on short termcontract basis.

3. Categories of posts, salaries/pay, allowances etc.—(1) The Secretary, Officers and other Employees of the Commission shall constitute the staff of the Commission. The numbers/sanctioned strength, nature and categories of the officers and other employees; and pay/salaries and allowances payable to, and other terms and conditions of service of, the Secretary, Officers and other employees shall be such as are specified in Schedule-I by the Commission, with the approval of the Government of Himachal Pradesh, from time to time.

(2) While filling up a post by way of secondment, if a suitable candidate with the requisite qualification, skill and experience is not available to fill such post, the Commission may fill up the same by a person who is in the rank and pay of any other level/post in the Commission, by assigning appropriate designation, within the overall sanctioned strength of the posts in the respective category.

Explanation.—A post of Deputy Director in technical category may be filled by an officer in the pay and designation of the Director, in addition to total sanctioned post of Directors.

(3) The Himachal Pradesh State Electricity Board Ltd. based pay scales allowed to the existing employees, appointed on permanent absorption basis by the Commission, shall remain protected as a measure personal to such employees till vacation of such posts by the incumbents.

(4) Unless otherwise expressly specified in these regulations, the emoluments, allowances and other conditions of service for appointment on secondment basis (deputation) or on contract basis shall be such as are laid down by the State Government from time to time for its employees.

(5) The officers and the employees on secondment to the Commission from the Himachal Pradesh State Electricity Board Ltd., or its successor utilities, Satluj Jal Vidyut Nigam Ltd; and any other Central/State Govt. Deptt./Public Sector Undertakings having different pay structures and allowances than that of State Government in general, shall continue to draw such pay and allowances as are paid to them in their respective parent organizations:

Provided that any allowance or pay attached to performance of a specific function in the parent organization shall not be admissible if such person is appointed against a post which does not involve performance of such function in the Commission.

(6) The approval/sanction of the posts accorded by the State Government shall also be deemed as an approval for creating such posts and filling up the same by the Commission, from time to time.

4. Appointment of Secretary.—The Secretary of the Commission shall be appointed by the Commission from amongst the All India Service Officers or the Himachal Pradesh Administrative Service Officers preferably having professional qualification in engineering or finance or management or economics and preferably having 14 years of experience in Himachal Pradesh Administrative Service.

Provided that the Secretary shall be appointed by the Commission from amongst the candidates on the penal sponsored by the State Government.

Provided further that in the absence of the Secretary or during the leave period of an incumbent of the post of Secretary or when regular appointment is under process the Commission may appoint any officer of the Commission to function as the Secretary.

5. Mode of appointment/recruitment of Officers and employees.—(1) The officers and other employees of the Commission shall ordinarily be appointed on secondment or on reemployment basis as specified in Schedule-II:

Provided that Commission may identify certain posts and specify such posts to be filled up by promotion, along with terms and conditions of promotion, from amongst its officers/ employees appointed on regular basis and while specifying terms and conditions for such promotions, the essential qualifications, experience etc. shall not be less than those prescribed for similar nontechnical categories of posts in the State Govt. Departments and technical categories of posts in the Himachal Pradesh State Electricity Board Ltd.

Provided further that in exceptional situations, where the Commission requires the posts to be filled up by way of absorption or by direct recruitment, Commission may fill up such posts in such manner with the approval of the State Government.

(2) Appointment on secondment or on absorption shall be from amongst the officers and employees of the Central and State Govt. Departments, Boards, Corporations, Autonomous and Local Bodies and from surplus pool maintained by the State Govt.

(3) The employees who are appointed on contract basis in the parent organisations shall be eligible for appointment on secondment on contract basis in the Commission;

(4) Notwithstanding any provision contained in the Schedule II, if suitable officers or employees with requisite expertise, skills and experience are not available to fill any post on secondment basis, or if the services of a retired person having such expertise/skill/experience is required by the Commission in public interest, the Commission may fill up such post by way of reemployment from amongst the retired persons of the State Govt., Boards or Corporations or Autonomous bodies or the Commission having such requisite expertise, skills and experience for a period not exceeding three years at a time or up to the age of 65 years, whichever is earlier and emoluments of such re-employed persons will be those as are applicable for re-employment of retired State Govt. officers and employees in the State Govt. Departments, including FR/SR.

6. Qualifications, experience and eligibility conditions.—(1) The educational qualifications, eligibility, experience and other conditions for appointment to the posts of the Commission shall be such as are laid down by the Commission from time to time keeping in view its specific requirements and as specified in Schedule-II:

Provided that in case of appointment on secondment and by way of absorption, the Commission may relax the educational qualifications and experience, if suitable candidate fulfilling the eligibility conditions is not available or in view of the requirement of the Commission.

(2) In addition to essential qualifications and experience specified in Schedule-II, the computer literacy, knowledge of customs and dialects of the State, experience of regulatory affairs and working in the hilly areas shall be the desirable qualification for all categories of posts.

(3) The posts to be filled up by promotion from regular officers/ employees of the Commission and eligibility conditions for such promotions shall be as are specified in Part-II of the Schedule-II.

7. Other conditions of service.—(1) The conditions of service, including recruitments and appointments of the officers and other employees of the Commission, grant of House Building Advance, medical reimbursement after retirement, leave encashment, ex-gratia etc., for which no express provision or insufficient provision has been made in these regulations, the rules and orders as made or may be made applicable to the similarly situated State Government employees, shall apply.

(2) Unless otherwise allowed with the approval of the State Govt., the Himachal Pradesh Civil Services Contributory Pension Rules, 2006 shall apply to the regular employees of the Commission.

8. Conduct and Applicability of Government Instructions.—(1) Every officer/employee of the Commission shall, at all times, maintain absolute integrity and devotion to duty.

(2) No officer/employee of the Commission shall act in a manner prejudicial to discipline and good order in the Commission.

(3) Unless otherwise provided in these regulations the service rules and orders of the Central Government as adopted by the State Government or for the time being in force and applicable to Government servants in the State Government and the rules and orders of the State Govt. shall apply to the officers/employees of the Commission.

9. Selection Committee.—(1) Appointments of the officers, other than the Secretary, and employees on secondment, re-employment, absorption, promotion or in any other manner etc. to the various posts, shall be made on the recommendations of the selection Committee.

Provided that selection for direct recruitments shall be made by the concerned recruiting agency *i.e.* the Himachal Pradesh Public Service Commission or the Himachal Pradesh Subordinate Service Selection Board or the Departmental Recruitment Committee, as the case may be.

(2) The Selection Committee shall consist of;—

(a) for the posts of Officers –

- (i) the Chairperson of the Commission (Chairman);
- (ii) one Officer to be nominated by the Chairperson;
- (iii) the Secretary.

(b) for the post of employees –

- (i) the Chairperson of the Commission or Secretary nominated by the Chairperson (Chairman);
- (ii) an officer to be nominated by the Chairperson.
- (iii) the Secretary or in case Secretary is the Chairman of the Selection Committee any other officer to be nominated by the Chairperson.

(3) The Selection Committee may, at its discretion, co-opt one or more persons as experts to assist it.

(4) The Selection Committee shall devise the mode or procedure, from time to time, in consultation with the Chairperson, for the selection of candidates to various posts, including conduct of written or practical tests, interview etc. so as to ensure selection based on suitability and merit.

10. Appointing Authority.—Appointing authority shall be:-

- (a) the Chairperson, in respect of the posts specified as Officers in Part I of Schedule-I
- (b) the Secretary, in respect of the posts specified as Employees in Part II of Schedule-I

11. Disciplinary, reviewing and appellate authorities.—The disciplinary authority, appellate authority and reviewing authority, in respect of the officers and employees of the Commission, except those on secondment, shall be as under:—

For officers as specified in Schedule-I

- | | |
|---------------------------|-------------|
| 1. Disciplinary Authority | Chairperson |
| 2. Appellate Authority | Commission |
| 3. Reviewing Authority | Commission |

For employees as specified in Schedule-I

- | | |
|---------------------------|-------------|
| 1. Disciplinary Authority | Secretary |
| 2. Appellate Authority | Chairperson |
| 3. Reviewing Authority | Commission |

12. Outsourcing.—(1) The Commission may identify certain services, essential to the efficient running of the Commission and its office, to be performed by outsourcing and may outsource on competitive rates.

(2) These services shall include, but not be limited to, the security of the office, dusting and cleaning of the office, office help, process/messenger service, reception/diary/dispatch/telephone attendance etc. typing, secretarial assistance, running and maintenance of specialized services.

(3) The Commission may, in addition, also outsource the functions against sanctioned posts.

13. Power to Relax.—Where the Commission is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and with prior consultation with the State Government, relax any of the provision(s) of these regulations with respect to any class or category of person(s) or post(s), provided that where specific provisions of relaxation by the Commission are provided in the regulations or are authorised to the State Commission by the State Govt. in its approval accorded vide letter No. MPP-A(3)-1/2003 Loose dated 4.9.2012, the Commission may relax such provision(s) at its own level.

14. Interpretation.—If any question arises relating to the interpretation of these regulations, the decision of the Commission shall be final provided that with respect to Regulations 2(1), 2(4), 2(5), 4,6,7(3) and 14, the Commission shall require prior approval of the State Govt. for such interpretation.

15. Savings.—Notwithstanding anything to the contrary contained in these regulations, any approvals/ sanctions accorded by the State Government, appointments made or anything done or any action taken by the Commission, prior to the commencement of these regulations, shall be deemed to have validly been made or done or taken under these regulations so far as the same is not inconsistent with these regulations or the rules/instructions applicable to the State Government employees or approvals accorded by the State Government prior to these regulations.

By order of the Commission,
Sd/-
Secretary.

SCHEDULE-I

(see regulations 2(d), 3, 10 and 11)

CATEGORISATION OF POSTS AND STRENGTH OF THE OFFICERS AND EMPLOYEES OF THE COMMISSION WITH PAY SCALES/PAY BANDS

Part-I OFFICERS

Sl. No.	Nature of posts	Posts sanctioned	Designation	No. of posts	Pay band and Grade Pay	Pre revised scale (Pre 2006)
1.	Head of Department	1	Secretary	1	In his own pay band & Grade Pay.	
2.			Executive Director (Technical Analysis)	1	37400-67000+ 10000/-	18600-2100

			Executive Director (Tariff Financial Analysis)	1	37400-67000+ 10000/-	18600-2100
	Technical	9	Director (Tariff Engineering)	1	37400-67000+ 8700/-	14300-8600
			Director (Technical Analysis)	1	37400-67000+ 8700/-	14300-8600
			Deputy Director (Trading)	1	15600-39100+ 6600/-	10025-15100
			Deputy Director (Generation)	1	15600-39100+ 6600/-	10025-5100
			Deputy Director (Tariff Engineering.)	1	15600-39100+ 6600/-	10025-5100
			Deputy Director (Tariff Economic)	1	15600-39100+ 6600/-	10025-5100
			Deputy Director (Consumer Affairs)	1	15600-39100+ 6600/-	10025-5100
3.	Legal	3	Deputy Director (Law)	1	15600-39100+ 6600/-	10025-5100
			Reader	1	10300-34800+ 5000/-	7220-11660
			Law Officer	1	10300-34800+ 4200/-	6400-10640
4.	Finance & Accounts		Sr. Accounts Officer	1	10300-34800+ 5000/-	7220-11660

Part-II STAFF

5.	Ministerial	8	Personnel-Cum-Administrative Officer	1	10300-34800+ 5400/-	7880-11660
			Superintendent	1	10300-34800+ 4200/-	6400-10640
			Sr. Asstt.	2	10300-34800+ 3800/-	5800-9200
			Record Keeper	1	10300-34800+ 3800/-	5800-9200
			Clerk	3	5910-20200+ 1900/-	3120-5160
7.	Secretarial	11	Sr. Private Secretary	1	15600-39100+ 6600/-	10025-5100
			Personal Assistant	5	10300-34800+ 4200/-	6400-10640
			Sr. Scale Stenographer	2	10300-34800+ 3800/-	5800-9200
			Steno Typist	3	5910-20200+ 2000/-	3330-6200
8.	Support staff.	13	Driver	5	5910-20200+ 2000/-	3330-6200
			Peon	8	4900-10680+ 1300/-	2520-4140
	Total	46		46		

Note.— (1) The categorization of posts and number of posts shall be such as are amended by the Commission, from time to time, within the overall approval of the State Government.

(2) Pay scale/band and grade pay as allowed to the Officers and employees of the Commission at the time of absorption with the approval of the State Govt. shall remain protected as measure personal to them till vacation of such posts by them.

(3) The above posts have been created by the Himachal Pradesh Government from time to time vide their letters as detailed below:—

- | | |
|---|---------|
| 1. MPP-B(1)-2/2000 dated 09.05.2001 | 30 post |
| 2. MPP-C(1)-1/2000(Loose dated 12.08.2002 | 01 " |
| 3. MP-A(4)-5/2005 dated 08.03.2006 | 06 " |
| 4. MPP-A(1)-3/2006 dated 03.08.2007 | 09 " |
| 5. MPP-(B)(1)-2/2000-Pt dated 04.02.2012 | |

Down gradation of two posts of Personal Asstt. and one post of Sr. Scale Steno to that of 3 posts of Steno Typist and one post each of Sr. Asstt. and Record Keeper and one post of Computer Operator to that of three Posts of Clerks(Overall number remained the same)

Total Posts

46 Posts

SCHEDULE –II

(see Regulations, 5 and 6)

PART-I

MINIMUM QUALIFICATIONS, EXPERIENCE AND OTHER ELIGIBILITY CONDITIONS FOR APPOINTMENT ON SECONDMENT OR ON RE-EMPLOYMENT BASIS OR BY ABSORPTION

Sl. No.	Name of Post	Minimum qualifications and other eligibility conditions
1.	(i) Executive Director(Technical Analysis) or in brief Executive Director (Technical). (ii) Executive Director (Tariff & Financial Analysis) or in brief Executive Director(Tariff)	From amongst the Chief Engineers or persons holding equivalent posts having degree in Electrical Engineering and having experience of at least 25 years in electricity distribution and transmission or generation and preferably having experience in commercial and power procurement, failing which from amongst Superintending Engineers or equivalent posts with at least 3 years service as such, in addition to other conditions specified above.
2.	Director (Tariff Engineering) or in brief Director (Tariff) Director (Technical Analysis or in brief Director (Technical).	(1) From amongst the Superintending Engineers or persons holding equivalent/analogous posts having degree in Electrical Engineering and

		having 20 years of service/ experience on Assistant Engineer Class-I and above levels in electricity supply and transmission or distribution failing which from amongst Executive Engineers or equivalent posts having a minimum service of 3 years as such, in addition to the other eligibility conditions specified above.
3.	(i) Deputy Director(Tariff Engineering or in brief Deputy Director (Tariff) (ii) Deputy Director (Generation) (iii) Deputy Director (Trading)	From amongst Assistant Engineers Class-I or equivalent posts, having degree in Engineering with at least 8 years service as such and having experience in electricity distribution or transmission or generation.
4.	(i) Deputy Director (Tariff Economics) (i) Deputy Director (Consumer Affairs)	From amongst Assistant Engineer Class-I or persons holding equivalent posts having degree in Engineering or post graduate degree in Economics/ Commerce/Maths or MBA or CA/ICWA with at least 8 years service as such and having experience in electricity distribution or regulatory affairs or consumer affairs or commercial accounts or finance.
5.	Deputy Director (Law)	From amongst Under Secretaries (Law) or above, with degree in Law, from H.P. Govt. Secretariat or from amongst District Attorneys and above level with experience in legislative and legal opinion or regulatory matters.
6.	Reader	From amongst persons holding analogous post or from amongst persons in equivalent grade having graduation degree and experience in court and legal matters and preferably having degree in law.
7.	Law Officer	From amongst persons holding analogous or equivalent posts or from Legal Assistants having experience of court and legal matters and having degree in law.
8.	Sr. Accounts Officer	From amongst Asstt. Controller (F&A) of SAS (OB) cadre of State Govt. having experience in commercial accounts or from amongst candidates holding analogous/equivalent posts and having post graduate degree in Commerce/ Economics/Maths with experience in commercial accounts or MBA finance or CA/ICWA.
9.	Pers-cum-Admn Officer	From amongst persons holding analogous

	(in brief Administrative Officer)	post and having graduation degree.
10.	Superintendent	From amongst persons holding analogous posts and having graduation degree.
11.	(i) Senior Assistant (ii) Record Keeper (iii) Clerk	From amongst persons having minimum of graduation degree holding an analogous post or any post in equivalent grade and holding computer and typing efficiency as prescribed for the post of clerk by the State Govt. Provided that Commission may specify specific qualification of graduation level for the posts of Senior Assistants. Record Keeper as per requirement like Commerce, Economics, Maths, Statistic, Library Science etc.
12.	(i) Sr. Private Secretary (ii) Personal Assistant (iii) Sr.Scale Stenographer Steno Typist	From amongst persons having a minimum of graduation degree holding an analogous post or any post in similar grade and having efficiency in computer, typing and short hand writing as prescribed for the post of Steno typist by the State Govt.
13.	Driver	From amongst persons holding the analogous post or any other similar post like mechanic, cleaner, conductor etc. and having experience in driving and having requisite driving licence and further having matriculation qualification.
14.	Peon	From amongst persons holding analogous post or any post in class-IV/group D services.

PART-II

POSTS TO BE FILLED UP BY PROMOTION AND ELIGIBILITY CONDITIONS FOR PROMOTION AS PER PROVISO TO REGULATION 5 AND REGULATION 6(3)

The following posts may be filled by promotion from amongst the regular officers and employees of the Commission as laid down hereunder, subject to fulfilment of eligibility and other conditions of promotion, failing which these may be filled up by other modes of appointment:

Sr. No.	Name of Post	Minimum Qualifications and other eligibility conditions.
1.	Senior Assistant and Record Keeper	From amongst clerks having 10 years of service and typing/computer efficiency specified for clerk's post in Part-I of this Schedule.
2.	Superintendent	From amongst Senior Assistants and Record Keeper, based on combined seniority, having six years service as such.
3.	Law Officer	From amongst Senior Assistants and Record Keeper, based on combined seniority, having six years service as such and further having degree in law.

4.	Reader	From amongst Superintendent, having 3 years service as such failing which from Superintendent having 9 years of service as Supdt. and Senior Assistant/Record Keeper combined together and further having graduation degree.
5.	Pers-cum-Admn Officer	From Reader with 3 years service as such failing which from Reader having combined service of 6 years as Reader and Superintendant and further having graduation degree.
6.	Sr.Scale Stenographer	From amongst Steno typist having 10 years of service as such and typing, computer and short hand writing efficiency as specified for Steno typist.
7.	Personal Assistant	From amongst Senior Scale Stenographers having 6 years of service as such.
8.	Private Secretary/Senior Private Secretary	The post of Sr. Private Secretary may be utilised temporarily in the rank and name of Private Secretary, Rs. 15600-39100 + 5400 GP the level next higher to Personal Assistant, and may be filled up by promotion from amongst Personal Assistants having 5 years service as such and further having graduation degree. The post of Senior Private Secretary may be restored to its sanctioned pay band and grade pay, to be filled up by promotion from Private Secretary having 3 years of service as such and further having graduation degree.
9.	Deputy Director (Consumer Affairs)	From Personal-cum- Administrative Officer having 3 years of service as such and further having qualification as specified for the post in Schedule-II, Part-I.
10.	Joint Director (Tariff Engineering)/Director (Tariff Engineering)	The post of Director (Tariff Engineering) may be utilised temporarily in the scale/ grade of 12000-15100, analogous/equivalent to Executive Engineer/Joint Director, the level next higher to Deputy Director, and may be filled by promotion from amongst Deputy Directors having at least 6 years of service as Deputy Director on regular appointment basis in the Commission and such post on having filled will be designated as Joint Director (Tariff Engineering). The post of Director (Tariff Engineering) may be restored to its sanctioned pay band and grade pay, to be filled up by promotion from Joint Director (Tariff Engineering) having 8 years service as such.

PART-III

(see Regulation 5)

1. Direct Recruitment:- Direct recruitment may ordinarily be at the entry level in the officer category and at the level of support staff, clerk, assistant, steno-typist and sr. scale stenographer in the employees category. Under proviso to Regulation 5, educational qualifications and other eligibility conditions specified in Part-I of this Schedule-II for filling up of post shall apply for direct recruitment also. Other terms and conditions like age, reservations, recruiting agency etc. shall be those as prescribed by the state Govt. for such posts.

2. Appointment by absorption:—(i) Appointment by absorption of officers and employees already appointed may be made against any post. Educational qualification and other eligibility conditions specified for the post in Part-I of this Schedule-II shall be applicable for absorption to that post.

(ii) Absorption of the incumbent on secondment to the Commission will be in the same scale which the employee holds/carries in the parent organisation. Where the pay of the post in the Commission is higher than that of the incumbent on secondment or the post is vacant, the selection process based on application invited/received after circulation/ requisition shall be followed, if such post is required to be filled up by absorption, so that person in lower scale is considered only when suitable candidate in the same scale is not available.

(iii) Absorption of staff on secondment will be considered only where balance service left before superannuation is at least 5 years.

(iv) From the date of appointment on absorption after 15-5-2003, all employees shall automatically be covered under the Himachal Pradesh Civil Services Contributory Pension Rules 2006 unless other terms and conditions have been given in their absorption orders.

Note:— These terms for absorption are as per approval accorded by the State Government vide letter No. MPP-B(L)-1/2009 dated 3.9.2011 from Pr. Secretary (Power) to the Government of H.P. addressed to Secretary, HPERC.